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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE
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10 In re PHILLIP O. EMIABATA,

11 Appellant,

12 v.

13 SPECIALIZED LOAN SERVICING,
LLC, and AVAIL 1 LLC,

14 Appellees.
15

CASE NO. C17-1752MJP

ORDER ON MOTIONS

16 There are currently pending before the Court two motions from Appellant:

- 17 1. Appellants Motion Asking the Court for Correction of Appellees Numbers to Read Three
18 Appellees (Dkt. No. 12), and
19 2. Appellants Motion for Appellee: Avail 1. LLC. Full Disclosure of Corporate Owner-
20 Ships[*sic*]/Certificate (Dkt. No. 13).

21
22 Having reviewed Appellant's motions, the Court rules as follows:
23 IT IS ORDERED that the motions are DENIED.
24

1 **Discussion**

2 Appellants Motion Asking the Court for Correction of Appellees Numbers to Read Three
3 Appellees (Dkt. No. 12)

4 There are two appellees currently listed in the record for this case: Avail 1 LLC and
5 Specialized Loan Servicing. Appellant requests that a third party – JP Morgan Chase Bank (BSI
6 Financial) – be added as an appellee in this matter.

7 Appellant is referred to the Notice of Appeal and Statement of Election which he filled
8 out and filed with the Court. (Dkt. No. 1-1.) Part 3 of that form directs the appellant to “[l]ist
9 the names of all parties to the judgment order, or decree appealed from.” The notice lists two
10 parties – “Specialized Loan Serving [sic] et al.” and “Avail 1 LLC” – and no others. (*Id.* at 1.)
11 The appellees listed in the court record are the parties identified by Appellant.

12 Appellants Motion for Appellee: Avail 1. LLC. Full Disclosure of Corporate Owner-
13 Ships[sic]/Certificate (Dkt. No. 13)

14 Appellant requests “fully Disclosure of Avail 1 LLC Principal/Ownerships:

- 15 (1) Who are the Avail 1. LLC Holding/Share Holders or Stockholders.
- 16 (2) Copy of Avail 1. LLC Certificate
- 17 (3) Any Shareholder or Stockholders having interest more than 10%, interest of Avail.
18 Holding.
- 19 (4) President and V.P. of Avail et al.”

20 (Dkt. No. 13 at 2.)

21 Corporate disclosure in District Court proceedings is governed by FRCP 7.1, “Disclosure
22 Statement,” which requires that “[a] nongovernmental corporate party must file two copies of a
23 disclosure statement that (1) identifies any parent corporation and any publicly held corporation
24 owning 10% or more of its stock; or (2) states that there is no such corporation.”

The Corporate Disclosure Statement filed by Appellee Avail 1 LLC states: "Pursuant to Fed. R. Civ. P. 7.1, the undersign, counsel of record for Avail 1 LLC, certifies that Avail 1 LLC is wholly owned by Avail Holding LLC." (Dkt. No. 5.)

4 This disclosure statement satisfies the requirements of FRCP 7.1 (and, additionally,
5 appears to answer Appellant's first and third questions). If Appellant wishes to discover
6 additional information about the ownership and corporate structure of this appellee, he must do
so by means of a request for discovery.

Appellant's motions are DENIED.

9 The clerk is ordered to provide copies of this order to Appellant and to all counsel.

10 Dated this 20th day of February, 2018.



Marsha J. Pechman
United States District Judge